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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SETH HERRERA,

Defendant.

No. 3:24-cr-00091-SLG-KFR

COUNT 1:

TRANSPORTATION OF CHILD
PORNOGRAPHY

Vio. of 18 U.S.C. § 2252A(a)(1), (b)(1)

COUNT 2:

RECEIPT OF CHILD PORNOGRAPHY

Vio. of 18 U.S.C. § 2252A(a)(2), (b)(1)

COUNT 3:

POSSESSION OF CHILD
PORNOGRAPHY

Vio. of 18 U.S.C. § 2252A(a)(5)(B), (b)(2)

CRIMINAL FORFEITURE

ALLEGATION:

18 U.S.C. § 2253 and 28 U.S.C.
§ 2461(c)

INDICTMENT

The Grand Jury charges that:

COUNT 1

On or about August 7, 2023, within the District of Alaska, the defendant, SETH HERRERA, knowingly transported and attempted to transport any child pornography, as defined in 18 U.S.C. § Section 2256(8)(A) and (C), using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer.

All of which is in violation of 18 U.S.C. § 2252A(a)(1), (b)(1).

COUNT 2

Between on or about August 7, 2023, and on or about May 13, 2024, within the District of Alaska, the defendant, SETH HERRERA, knowingly received and attempted to receive any child pornography, as defined in 18 U.S.C. § 2256(8)(A), and any material containing child pornography, using a means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All of which is in violation of 18 U.S.C. § 2252A(a)(2), (b)(1).

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COUNT 3

Between on or about August 7, 2023, and on or about May 14, 2024, within the District of Alaska, the defendant, SETH HERRERA, knowingly possessed and attempted to possess material that contained an image of child pornography, as defined in 18 U.S.C. § 2256(8)(C), which had been mailed, shipped and transported using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, and which was produced using materials that have been mailed, and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All of which is in violation of 18 U.S.C. §2252A(a)(5)(B) and (b)(2).

CRIMINAL FORFEITURE ALLEGATION

The allegations contained in Counts 1-3 are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to 18 U.S.C. § 2253.

Upon conviction of the offenses in violation of 18 U.S.C. § 2252A(a)(1),(b)(1), 18 U.S.C. § 2252A(a)(2),(b)(1), or 18 U.S.C. § 2252A(a)(5)(B), (b)(2), as set forth in Counts 1-3 of this Indictment, the defendant, SETH HERRERA, shall forfeit to the United States pursuant to 18 U.S.C. § 2253 any property, real or personal, that was used or intended to be used to commit or to promote the commission of such violations or any property traceable to such property, including, but not limited to:

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- A Samsung Galaxy S21 Ultra mobile device (IMEI: 356592513458147);
- A Samsung Galaxy S23 Ultra mobile device (IMEI: 358163261190783); and
- A Samsung Galaxy S8+ mobile device (IMEI: 355979084004841).

All pursuant to 18 U.S.C. § 2253 and 28 U.S.C. § 2461(c), and Rule 32.2(a) of the Federal Rules of Criminal Procedure.

A TRUE BILL.

s/ Grand Jury Foreperson
GRAND JURY FOREPERSON

s/ Mac Caille Petursson
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Assistant U.S. Attorney
United States of America

s/ Rachel L. Rothberg
RACHEL L. ROTHBERG
Trial Attorney
United States of America

s/ Kate Vogel for
S. LANE TUCKER
United States Attorney
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DATE: August 21, 2024